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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: NISHIMURA et al

Serial No.: 10/645,484

Filed: August 22, 2003

For: Oil Free Screw Compressor

Art Unit: 3746

Examiner: W. Rodriguez

**TERMINAL DISCLAIMER**

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

September 23, 2004

Sir:

The undersigned, Alan E. Schiavelli, as attorney of record, states as follows:

Hitachi, Ltd., having a principal place of business at 6, Kanda Surugadai 4-chome, Chiyoda-ku, Tokyo 101, Japan, is the owner of the entire right, title and interest in and to the subject application by virtue of the assignment recorded on September 16, 1999 at reel 10261, frame 0881.

Hitachi, Ltd. hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration of the full statutory term (as set forth in 35 U.S.C. 154) of United States Patent No. 6,287,088, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,287,088, this agreement to run with

any patent granted on the above-identified application and to be binding upon the grantee, its successors and assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 35 USC 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

HITACHI, LTD.

Date

9/23/04

By: Alan E. Schiavelli  
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Attorney of Record